



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,701	12/13/2000	Toru Okawa	614.1788D/DSG	7516

21171 7590 03/24/2004

STAAS & HALSEY LLP  
SUITE 700  
1201 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
----------	--------------

2173

10

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/734,701

Applicant(s)

TORU OKAWA

Examiner

Ba Huynh

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

BA HUYNH  
PRIMARY EXAMINER

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's amendment filed on 1/15/04 has been entered.

Claims 3, 4, 7, 8, 11, 12, 15, 16, 18, 20, 22, 24, 26, 28, 30, 32, 35, 36, 38, 40, 42, and 44 are pending in the application.

### ***Claim Rejections - 35 USC § 102***

2. Claims 3, 7, 11, 15, 18, 20, 22, 24, 26, 28, 30, 32, 35, 38, 40, 42, 44 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #5,636,336 (Adachi).

- As for claims 3, 7, 11, 15, 18, 22, 26, 30, 35, 38, 42: Adachi teaches a computer implemented display control system (fig 2) and corresponding method for data control during screen display operations, comprising the means/steps:  
  
Pointing device 32 that indicates a position 68 on a screen of a display unit 24,  
  
A graphic data processing means 22 having deleting means 52 that successively deletes first elements (i.e., picture elements) of data from a specified area 64 of the screen and rearranges second elements remaining in the specified area (i.e., remaining picture elements) to provide an appearance that the second elements of data are

Art Unit: 2173

gradually withdrawn from the specified area at the indicated position, the deleting means including a speed control unit that control the time interval to be successively shorter depending on the pressure applied to the pen during the deletion process (10:28-47). The second elements are rearranged in a spiral pattern (i.e., in a rotated pattern, 3:58-65; 7:9-11; 9:63 - 10:5).

- As for claims: 20, 24, 28, 32, 40, 44: Adachi teaches a computer implemented display control system (fig 2) and corresponding method for data control during screen display operations, comprising the means/steps:

Pointing device 32 that indicates a position 68 on a screen of a display unit 24, A graphic data processing means 22 having restoring means 56 that successively restores elements (i.e., picture elements) of data to a specified area 64 of the screen to provide an appearance that the elements of data are gradually reappears at the specified area at the indicated position, the restoring means including a speed control unit that control the time interval to be successively shorter depending on the pressure applied to the pen during the deletion process (10:28-47). The elements are restored in a spiral pattern (i.e., in a rotated pattern, 3:58-65; 7:9-11; 9:63 - 10:5).

***Claim Rejections - 35 USC § 103***

3. Claims 4, 8, 12, 16, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #5,636,336 (Adachi).

- As for claims 4, 8, 12, 16, 36: Adachi fails to clearly teach the displaying of an image indicating the completion of the deleting/restoring process. However Official notice

Art Unit: 2173

is taken that implementation of displaying an image indicating the completion of a process is well known. It would have been obvious to one of skill in the art, at the time the invention was made, to implement the displaying of an image indicating the completion of the deleting/restoring process to Adachi. Motivation of the implementation is for providing a visual feedback indicating the completion of the deleting/restoring process.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (703) 305-9794. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ba Huynh  
Primary Examiner  
AU 2173

2/21/04  
BA HUYNH  
PRIMARY EXAMINER